

DETAILED ACTION

Response to Amendment

1. The amendment filed August 20, 2007, has been entered. The only change is the renumbering of claim 27 to the proper number claim 26. The pending claims are 10-26.
2. The amendment to the specification filed August 20, 2007, has been entered. Said amendment is sufficient to withdraw the objection to the drawings set forth in section 5 of the last Office Action (Non-final Rejection mailed 03/30/07).
3. Applicant's arguments with respect to the rejection over Leopold, Hammer, Stull, Pacione, and Celliers, as set forth in section 7 of the last Office Action have been found persuasive. Similarly, applicant's arguments with respect to the rejection over Pacione, Hammer, and Celliers, as set forth in section 8 of the last Office Action have been found persuasive. As such, said rejections are hereby withdrawn. Specifically, applicant traverses that the rejection does not provide proper motivation to provide different hook arrangements *on opposite sides* of the closure element or anchor sheet (Amendment, page 8, 3rd paragraph and paragraph spanning pages 10-11).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-26 stand rejected under 35 U.S.C. 103(a) as being unpatentable over US 6,699,560 issued to Schulte in view of US 5,753,336 issued to Stull and US 6,298,624 issued to Pacione and in further view of EP 988 808 issued to Celliers et al. as set forth in section 9 of the last Office Action.

Applicant traverses this rejection on the grounds that the application is still entitled to the benefit of the priority date of the international application of September 22, 1998 (Amendment, page 11, 1st paragraph). This argument is unpersuasive since a break in continuity (see the petition decision of 04/15/05) renders the September 22, 1998 date as a foreign priority date that is not granted. Therefore, the rejection stands.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Cheryl Juska whose telephone number is 571-272-1477. The examiner can normally be reached on Monday-Friday 10am-6pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached at 571-272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Cheryl Juska/
Primary Examiner
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